

Franklin County, OH
Court of Common Pleas
Columbus

Verdict: \$325,000
Judge: Daniel T. Hogan **Date of Verdict:** 6/13/2007

Plaintiffs' Attorney(s): Patrick Hart, Akron
Daniel Colopy, Akron

Defendants' Attorney(s): Thomas Keener, Columbus

Facts: Plaintiff was injured in a rear-end collision on August 9, 2004. Plaintiff alleged that Defendant was negligent in failing to maintain an assured clear distance and keep a proper lookout. He claimed herniated disks at the C4-5 and C5-6 and had to undergo an anterior cervical discectomy surgery six months after the accident. Plaintiff missed three months of work after the accident and six weeks of work after his surgery. Plaintiff's wife sought damages for loss of consortium.

Defendant admitted negligence, but disputed proximate cause. Defendant claimed that Plaintiff's condition was due to ongoing degenerative arthritis.

Plaintiff's Personal Data: Plaintiff was a 48-year old married white male employed as an electrician with Rolls Royce.

Alleged Injury: Lumbar and cervical back injuries resulting in herniated disks at C4-5 and C5-6 necessitating an anterior cervical discectomy surgery. Plaintiff claimed ongoing radiating pain down his right arm that the surgical procedure did not relieve. Plaintiff claimed \$58,518 in medical expenses and \$14,000 in lost wages. Evidence was presented that Plaintiff's health insurance carrier paid \$31,500 which was accepted by his medical providers as payment in full for his medical expenses. The jury was informed that Plaintiff would be required to reimburse his health insurance carrier out of any verdict awarded to him.

Jury Deliberations: 1 day

Insurance Carrier: Central Mutual

Settlement Efforts: Last Demand: \$200,000
Last Offer: \$125,000

Case Number: 06-CV-006699

Case Caption: Terry E. Helms, et al. v. Floral Transport Service, Inc. and
Erron C. Vincent